

REMARKS

With the foregoing amendment claims 1-19 and 30-42 are pending in the application. Claims 1, 9 and 17 are independent. No new matter has been added by the amendments. Applicants respectfully request reconsideration of the present application.

Rejection of Claim 8 under Section 112

Claim 8 has been amended so that it now depends from claim 6. Applicant respectfully submits that the amendment obviates the 112 rejection because claim 6 provides the antecedent basis for "said drive mechanisms."

Rejection of Independent Claims 1 and 9

Claims 1 and 9 stand rejected under 35 U.S.C. § 102 as being anticipated by Vander Syde (US 5,906,468). Applicant respectfully disagrees.

Independent Claim 1:

With respect to claim 1, claim 1 is not anticipated by Vander Syde because Vander Syde does not disclose all of the features of claim 1 as amended. For example, at the least, Vander Syde does not disclose:

a generally rectangular container comprising four walls, a floor (160FL), a left pivot (160P) and a right pivot (160P), said four walls including a front wall (160FR) extending along a first end of the floor, a back wall (160B) opposite the front wall and extending along a second end of the floor, a right wall (160R) extending along a first side of the floor, and a left wall (160L) opposite the right wall and extending along a second side of the floor, wherein said four walls and said floor define a space that is occupied by said stack of thin objects, and wherein said front wall, at least a portion of the left wall and a portion of the right wall are moveable together about said pivots and are movable relative to said floor ...

as is recited in claim 1.

Vander Syde discloses an apparatus and method for unloading a stack of mail from a container or tray. According to Vander Syde, “[t]he apparatus 10 is operative to unload a plurality of generally rectangular documents 26 from a container or tray 28 onto a generally flat inclined feed ramp 30.” *Col. 5, line 66 to col. 6, line 1.*

Like the container claimed in claim 1, the container disclosed in Vander Syde includes four walls including a front wall, a back wall, and two opposite side walls. See e.g., *Vander Syde - col. 6, lines 4-6* (“*The tray 28 includes a bottom surface 32 [i.e., a “floor”], a plurality of upstanding sidewalls 34 [i.e., a left wall and a right wall] and forward 36 and rear 38 endwalls.*”). However, the similarities between the container disclosed in Vander Syde and the container of claim 1 end here.

More specifically, for example, the container 28 disclosed in Vander Syde does not include pivots. Furthermore, the container 28 disclosed in Vander Syde does not have a front wall that is moveable about the pivots and moveable relative to the floor (i.e., bottom surface 32). The container disclosed in Vander Syde is nothing more than a conventional box having a bottom surface and four upstanding walls (i.e., two side walls and two end walls). Nowhere does Vander Syde disclose (or even suggest) that any wall of container 28 is movable relative to the bottom surface 32 of the container 28. Accordingly, Applicant respectfully submits that Vander Syde does not anticipate claim 1 (or claims 2-8, which depend from claim 1).

Independent Claim 9:

Like claim 1, claim 9 requires a container having pivots and a front wall that can move about the pivots and relative to the floor of the container. Thus, for the reasons given above with respect to claim 1, Applicant respectfully submits that Vander Syde does not anticipate claim 9 (or claims 10-16, which depend from claim 9).

Rejection of Independent Claim 17

Claim 17 stands rejected under 35 U.S.C. § 103 as being obvious over Vander Syde in view of Blackwell (US 6,612,565). Applicant respectfully disagrees.

Like claim 1, claim 17 requires a container having pivots and a front wall that can move about the pivots relative to the floor of the container. Thus, for the reasons given above with respect to claim 1, Applicant respectfully submits that Vander Syde does not disclose all of the elements of claim 17. Furthermore, Blackwell does not make up for the deficient teachings of Vander Syde.

Blackwell discloses a flat article singulation mechanism. However, Blackwell does not disclose a container for holding flat articles, let alone a container having a floor, four walls (i.e., a left wall, a right wall, a front wall, and a back wall), and two pivots, wherein the front wall can move about the pivots relative to the floor of the container. Thus, Blackwell does not make up for the deficient teachings of Vander Syde. Accordingly, Applicant respectfully submits that claim 17 (and claims 18-19, which depend from claim 18) is patentable over Vander Syde in view of Blackwell.

New claims 34-42

With respect to new claims 34-42, these claims depend from claim 1, 9 or 17. Thus, these claims are patentable for at least the reasons given above.

CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections, and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

RESPECTFULLY SUBMITTED,					
<i>NAME AND REG. NUMBER</i>	Brian Rosenbloom, Registration No.: 41,276				
<i>SIGNATURE</i>			<i>DATE</i>	7/18/06	
<i>Address</i>	Rothwell, Figg, Ernst & Manbeck Suite 800, 1425 K Street, N.W.				
<i>City</i>	Washington	<i>State</i>	D.C.	<i>Zip Code</i>	20005
<i>Country</i>	U.S.A.	<i>Telephone</i>	202-783-6040	<i>Fax</i>	202-783-6031